REMARKS

Claims 1-16 are pending in the present application. Claims 1-10 have been amended. Claims 11-16 have been newly added.

Independent claim 1 has been amended to recite "A cover material adapted to be attached to skin in a manner covering over the entirety of a patch, comprising a support layer and a pressure-sensitive adhesive layer provided on one side of the support layer, wherein said patch comprises a support film with a thickness of 12-30 μm and a drug-containing layer for contacting with the skin, said drug-containing layer being provided on one side of the support film, wherein said cover material is adapted to be attached to said support film and a region of the skin around said patch in such a manner that said pressure-sensitive adhesive layer contacts with the edges of said drug-containing layer, and wherein said pressure-sensitive adhesive layer comprises a pressure-sensitive adhesive obtained by polymerizing a first and a second monomer, the first monomer being selected from the group consisting of vinyl acetate and N-vinyl-2-pyrrolidone and the second monomer being a (meth)acrylic acid alkyl ester with a C8 alkyl group." Support for amended claim 1 can be found, for example, in Examples 1-4 and throughout the specification and claims as originally filed.

Independent claim 5 has been amended to recite "A patch with cover material, comprising: a cover material comprising a support layer and a pressure-sensitive adhesive layer provided on one side of the support layer, and a patch comprising a support film with a thickness of 12-30 μm and a drug-containing

layer provided on one side of the support film wherein the cover material and the patch are attached, with the other surface of said support film being in contact with said pressure-sensitive adhesive layer in such a manner that said pressure-sensitive adhesive layer remains around the periphery of said patch, and with said pressure-sensitive adhesive layer being in contact with the drug-containing layer exposed at the sides of said patch, and wherein said pressure-sensitive adhesive layer comprises a pressure-sensitive adhesive obtained by polymerizing a first and a second monomer, the first monomer being selected from the group consisting of vinyl acetate and N-vinyl-2-pyrrolidone and the second monomer being a (meth)acrylic acid alkyl ester with a C8 alkyl group." Support for amended claim 5 can be found, for example, in Examples 1-4 and throughout the specification and claims as originally filed.

Claims 2-4 and 6-10 have been amended to be placed in proper form. Specifically, the phrase "A cover material according to claim 1" has been deleted without prejudice or disclaimer and replaced with the phrase "The cover material according to claim 1" in each of claims 2-4. Further, the phrase "A patch with cover material according to claim 5" has been deleted without prejudice or disclaimer and replaced with the phrase "The patch with cover material according to claim 5" in each of claims 6-10. Support for this amendment can be found throughout the specification and claims as originally filed.

Claim 3 has been further amended to correct antecedent basis. Specifically, claim 3 now recites "said support layer comprises a foamed polymer" rather than "said support is a foamed polymer." Support for this amendment can be found throughout the specification and claims as originally filed.

In claims 4 and 9, the term "contains" has been deleted without prejudice or disclaimer and replaced with the term "comprises." Support for this amendment can be found throughout the specification and claims as originally filed.

Claim 6 has been further amended to correct minor typographical errors. Specifically, the term "with" has been deleted without prejudice or disclaimer and replaced with the term "having." Additionally claim 6 has been amended to recite "a thickness of 12-30 μm" rather than "a thickness of 1230 gm". Support for this amendment can be found throughout the specification and claims as originally filed.

In claim 8, the phrase "is made of" has been deleted without prejudice or disclaimer and replaced with the term "comprises." Support for this amendment can be found throughout the specification and claims as originally filed.

In claim 10, the phrase "which is further provided with" has been deleted without prejudice or disclaimer and replaced with the phrase "further comprising." Support for this amendment can be found throughout the specification and claims as originally filed.

Claim 11 has been newly added. New claim 11 is directed to "The cover material according to claim 1, wherein said pressure-sensitive adhesive further comprises at least one co-polymerizing monomer selected from the group consisting of hydroxyethyl (meth)acrylate, (meth)acrylic acid, (meth)acrylic acid alkyl esters with C1-7 alkyl groups, and (meth)acrylic acid alkyl esters with C9-12 alkyl groups." Support for new claim 11 can be found, for example, at paragraphs 25 and 26 of the specification as originally filed.

Claim 12 has been newly added. New claim 12 is directed to "The cover material according to claim 1, wherein in said pressure-sensitive adhesive, the first monomer is present in an amount of about 15-35% by weight and the second monomer is present in an amount of about 60-80% by weight." Support for new claim 12 can be found, for example, at paragraph 28 of the specification as originally filed.

Claim 13 has been newly added. New claim 13 is directed to "The cover material according to claim 11, wherein in said pressure-sensitive adhesive, the co-polymerizing monomer is present in an amount of up to about 25% by weight." Support for new claim 13 can be found, for example, at paragraph 28 of the specification as originally filed.

Claim 14 has been newly added. New claim 14 is directed to "The patch with cover material according to claim 5, wherein said pressure-sensitive adhesive further comprises at least one co-polymerizing monomer selected from the group consisting of hydroxyethyl (meth)acrylate, (meth)acrylic acid, and (meth) acrylic acid alkyl esters with C1-7 alkyl groups, and (meth)acrylic acid

alkyl esters with C9-12 alkyl groups." Support for new claim 14 can be found, for example, at paragraphs 25 and 26 of the specification as originally filed.

Claim 15 has been newly added. New claim 15 is directed to "The patch with cover material according to claim 5, wherein in said pressure-sensitive adhesive, the first monomer is present in an amount of about 15-35% by weight and the second monomer is present in an amount of about 60-80% by weight." Support for new claim 15 can be found, for example, at paragraph 28 of the specification as originally filed.

Claim 16 has been newly added. New claim 16 is directed to "The patch with cover material according to claim 14, wherein in said pressure-sensitive adhesive, the co-polymerizing monomer is present in an amount of up to about 25% by weight." Support for new claim 16 can be found, for example, at paragraph 28 of the specification as originally filed.

No new matter has been added

In view of the following, further and favorable consideration is respectfully requested.

I. At page 2 of the Official Action, claims 1-10 have been rejected under 35 USC § 112, second paragraph as being indefinite.

The Examiner asserts that claims 1-10 are indefinite because it is unclear if the term "support" is "drawn to the cover material or if it is a secondary support film material on top of an inner patch or if it is a secondary support film that is a component of the inner patch."

Applicants respectfully traverse this rejection.

Applicants respectfully submit that claims 1-10 now clearly recite "support layer" or "support film." Accordingly, the term support no longer appears alone.

In view of the foregoing, it is submitted that claims 1-10 are clear and definite within the 35 USC § 112, second paragraph. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

II. At page 2 of the Official Action, claims 1-4 have been further rejected under 35 USC § 112, second paragraph as being indefinite.

The Examiner asserts that claims 1-4 are indefinite because of the phrase "thickness of 12-30 pm," as recited in claim 1.

Applicants respectfully traverse this rejection.

Applicants respectfully submit that claim 1 has been amended such that the phrase "thickness of 12-30 pm" has been deleted without prejudice or disclaimer and replaced with the phrase "a thickness of 12-30 μm." Claims 2-4 depend, either directly or indirectly from claim 1.

In view of the foregoing, it is submitted that claims 1-4 are clear and definite within the 35 USC § 112, second paragraph. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

III. At page 3 of the Official Action, claim 5 has further been rejected under 35 USC § 112, second paragraph as being indefinite.

The Examiner asserts that claim 5 is indefinite because of the phrase "thickness of 1230 gm."

Applicants respectfully traverse this rejection.

Applicants respectfully submit that claim 5 has been amended such that the phrase "thickness of 1230 gm "has been deleted without prejudice or disclaimer and replaced with the phrase "a thickness of 12-30 μm."

In view of the foregoing, it is submitted that claim 5 is clear and definite within the 35 USC § 112, second paragraph. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

IV. At page 3 of the Official Action, claims 1-10 have been further rejected under 35 USC § 112, second paragraph as being indefinite.

The Examiner asserts that claims 1-10 are indefinite because in claims 1 and 5, the term "essential" does not indicate the specifics for whether the components are required in the claim.

Applicants respectfully traverse this rejection.

Applicants respectfully submit that the term "essential" has been deleted without prejudice or disclaimer from each of claims 1 and 5. Claims 2-4 depend, either directly or indirectly, from claim 1. Claims 6-10 depend, either directly or indirectly from claim 5.

In view of the foregoing, it is submitted that claims 1-10 are clear and definite within the 35 USC § 112, second paragraph. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

V. At page 3 of the Official Action, claims 1-10 have been rejected under 35 USC § 103 as being unpatentable over Tateishi et al. (WO 02/069942) in view of Liedtke (DE 3811564).

The Examiner asserts that it would have been obvious to incorporate the foamed polymer, cover layer and adhesive, as allegedly suggested by Liedtke, with the adhesive suggested by Tateishi, to obtain the present subject matter.

Applicant respectfully traverses this rejection because a *prima facie* case of obviousness has not been established.

To establish a *prima facie* case of obviousness, the Examiner must satisfy three requirements. First, as the U.S. Supreme Court very recently held in *KSR International Co. v. Teleflex Inc. et al.*, *KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. 1727 (2007), "a court must ask whether the improvement is more than the predictable use of prior art elements according to their established functions. ...it [may] be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. ...it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does... because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known." (*KSR*, *supra*, slip opinion at 13-15.) Second, the proposed modification of the

prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *Amgen Inc. v. Chugai Pharm. Co.*, 18 USPQ2d 1016, 1023 (Fed. Cir. 1991). Lastly, the prior art references must teach or suggest all the limitations of the claims. *In re Wilson*, 165 USPQ 494, 496 (C.C.P.A. 1970).

Applicants respectfully submit that a prima facie case of obviousness has not been established because, whether taken alone or in combination, neither Tateishi et al. or Liedtke teach or suggest each and every limitation of the presently pending claims as required by *In re Wilson.*

Independent claim 1 is directed to "A cover material adapted to be attached to skin in a manner covering over the entirety of a patch, comprising a support layer and a pressure-sensitive adhesive layer provided on one side of the support layer, wherein said patch comprises a support film with a thickness of 12-30 μm and a drug-containing layer for contacting with the skin, said drug-containing layer being provided on one side of the support film, wherein said cover material is adapted to be attached to said support film and a region of the skin around said patch in such a manner that said pressure-sensitive adhesive layer contacts with the edges of said drug-containing layer, and wherein said pressure-sensitive adhesive layer comprises a pressure-sensitive adhesive obtained by polymerizing a first and a second monomer, the first monomer being selected from the group consisting of vinyl acetate and N-vinyl-2-pyrrolidone and the second monomer being a (meth)acrylic acid alkyl ester with a C8 alkyl group." Claims 2-4 and 11-13 depend, either directly or indirectly from claim 1.

Independent claim 5 has been amended to recite "A patch with cover material, comprising: a cover material comprising a support layer and a pressure-sensitive adhesive layer provided on one side of the support layer, and a patch comprising a support film with a thickness of 12-30 μm and a drug-containing layer provided on one side of the support film wherein the cover material and the patch are attached, with the other surface of said support film being in contact with said pressure-sensitive adhesive layer in such a manner that said pressure-sensitive adhesive layer remains around the periphery of said patch, and with said pressure-sensitive adhesive layer being in contact with the drug-containing layer exposed at the sides of said patch, and wherein said pressure-sensitive adhesive layer comprises a pressure-sensitive adhesive obtained by polymerizing a first and a second monomer, the first monomer being selected from the group consisting of vinyl acetate and N-vinyl-2-pyrrolidone and the second monomer being a (meth)acrylic acid alkyl ester with a C8 alkyl group." Claims 6-10 and 14-16 depend, either directly or indirectly from claim 5.

In contrast, Tateishi et al. is directed to a patch agent having a support, and an adhesive layer laid on the support and containing an adhesive base and a drug, wherein the adhesive base contains an acrylic polymer substantially having no carboxyl and no hydroxyl in molecules thereof, and a rubber-based polymer. *See* Tateishi et al., Abstract. However, Tateishi et al. do not teach or suggest the presently claimed cover material, which, as described above, comprises a pressure sensitive adhesive layer having a pressure-sensitive adhesive obtained by polymerizing a first and second monomer, the first monomer being selected

from the group consisting of vinyl acetate and N-vinyl-2-pyrrolidone and the second monomer being a (meth)acrylic acid alkyl ester wit a C8 alkyl group, as presently claimed. Additionally, Tateishi et al. do not teach or suggest a patch having a support film with a thickness of 12-30 μm. Therefore, Applicants submit that Tateishi et al. do not teach or suggest every element of the presently pending subject matter.

Liedtke does not remedy the deficiencies of Tateishi et al. Liedtke is directed to improving the absorption of medicaments by forming a plaster of a support of an open-cell with elastic foam having technically produced recesses of different geometries for the reception of drug formulations, a mechanical separating layer on the upper side facing away from the skin and an adhesive tape of an elastic closed-cell foam. The support and adhesive edge are bonded on the top side with an elastic covering film, and which possesses a peelable protective film on the lower side. *See* Liedtke, Abstract. Like Tateishi et al., Liedtke does not teach or suggest the presently claimed cover material. Additionally, Liedtke does not teach or suggest a patch having a support film with a thickness of 12-30 μm. Accordingly, Applicants submit that, whether taken alone or in combination, neither of Tateishi et al. or Liedtke teach or suggest every element of the presently pending subject matter.

Further, Applicants respectfully submit that as described at paragraphs 9 and 48 of the present specification, because the presently claimed cover material readily wraps around the sides of the present patch, an occlusive dressing is achieved. In this regard, Applicants respectfully submit that neither Tateishi et al.

nor Liedtke achieve the present occlusive dressing.

Additionally, Applicants submit that neither of Tateishi et al. nor Liedtke achieves the balance between the elastic modulus of the drug-containing layer of the patch and the elastic modulus of the pressure sensitive adhesive layer that results from the presently claimed subject matter. Applicants submit that the balance achieved by the present subject matter allows the adhesive force on the skin to be adjusted to a suitable level such that skin irritation may be reduced. *See*, for example, paragraphs 11 and 50 of the present specification.

In view of the remarks set forth herein, it is submitted that, whether taken alone or in combination, Tateishi et al. and Liedtke do not render the presently pending claims obvious within the meaning of 35 USC § 103 (a). Accordingly, the Examiner is respectfully requested to withdraw this rejection.

VI. At page 6 of the Official Action, claims 1, 2, 4-7, 9 and 10 have been rejected under 35 USC § 103 as being unpatentable over Arth et al. (US Patent No. 6,461,636) in view of Terahara et al. (WO 03/013611).

The Examiner asserts that it would have been obvious to incorporate the foamed polymer, cover layer and adhesive, as allegedly suggested by Arth et al., with the adhesive suggested by Terahara et al., to obtain the present subject matter.

Applicant respectfully traverses this rejection because *prima facie* case of obviousness has not been established.

To establish a *prima facie* case of obviousness, the Examiner must satisfy three requirements. First, as the U.S. Supreme Court very recently held in *KSR International Co. v. Teleflex Inc. et al., KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. 1727 (2007), "a court must ask whether the improvement is more than the predictable use of prior art elements according to their established functions. ...it [may] be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. ...it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does... because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known." (*KSR*, *supra*, slip opinion at 13-15.) Second, the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *Amgen Inc. v. Chugai Pharm. Co.*, 18 USPQ2d 1016, 1023 (Fed. Cir. 1991). Lastly, the prior art references must teach or suggest all the limitations of the claims. *In re Wilson*, 165 USPQ 494, 496 (C.C.P.A. 1970).

A proper case of obviousness under 35 U.S.C.§103, requires that the prior art as a whole, must suggest the desirability of making the claimed combination and provide a reasonable expectation of success. See *In re Dow Chemical Co.*, 837 F.2d 469, 5 USPQ2d 1529 (Fed. Cir.1988).

Regarding motivation to modify properly combined references, **MPEP 2143** states that where the prior art conflicts, all teachings must be considered and that the fact that references can be combined or modified is not sufficient to establish *prima facie* obviousness. **MPEP 2143** further states that there must be some suggestion or motivation to modify the references, and there must be a reasonable expectation of success. In addition, the prior art reference or references when properly combined, must teach or suggest all the claim limitations.

MPEP 2143.01 states that a proposed modification cannot render the prior art unsatisfactory for its intended purpose. If it does, then there is no suggestion or motivation to make the proposed modification. Further, the proposed modification cannot change the principle operation of a reference.

It is submitted that a proper case of *prima facie* obviousness has not been established because no motivation to modify the teachings of Arth et al. with the teachings of Terahara et al. However, assuming *arguendo*, such motivation exists, neither Arth et al. nor Terahara et al., whether taken alone or together, teach or suggest every element of the presently pending claims.

A. No Motivation to Modify

Applicants respectfully submit that there is no motivation to modify the transdermal system of Arth et al. with the patch disclosed by Terahara et al. because the patch according to Terahara et al. comprises a drug containing layer that is also the adhesive layer. In contrast, Arth et al. discloses a distinct polymer layer containing the active substance and a distinct adhesive film layer. As known to those skilled in the art, the inclusion of specific adhesive monomers included in a patch's drug containing layer may affect drug delivery and therefore bioavailability. Accordingly, modifying the transdermal system of Arth et al. with the drug containing layer of Terahara et al. may render the system unsatisfactory for its intended use. Accordingly, Applicants respectfully submit that there is no motivation to modify the teachings of Arth et al. with the teachings of Terahara et al.

B. All Elements Not Taught or Suggested

Independent claim 1 is discussed above in regard to the previous rejection. Claims 2, 4 and 11-13 depend, either directly or indirectly from claim 1.

Independent claim 5 is discussed above in regard to the previous rejection. Claims 6, 7, 9 and10 depend, either directly or indirectly from claim 5.

In contrast to the presently claimed subject matter, Arth et al. is directed to a transdermal therapeutic system for the transcutaneous administration of pergolide over several days and to a method for its manufacture without using solvents. *See* Arth et al., Abstract. However, Arth et al. do not teach or suggest the presently claimed cover material, which, as described above, comprises a

pressure sensitive adhesive layer having a pressure-sensitive adhesive obtained by polymerizing a first and second monomer, the first monomer being selected from the group consisting of vinyl acetate and N-vinyl-2-pyrrolidone and the second monomer being a (meth)acrylic acid alkyl ester wit a C8 alkyl group, as presently claimed. Additionally, Arth et al. do not teach or suggest a patch having a support film with a thickness of 12-30 μm. Therefore, Applicants submit that Arth et al. do not teach or suggest every element of the presently pending subject matter.

Terahara et al. do not remedy the deficiencies of Arth et al. Terahara et al. is directed to external preparations for percutaneous application and compositions therefor whereby a drug having an ergoline skeleton can be effectively absorbed via the skin into the blood under circulation while reducing selected side effects. *See* Terahara et al., Abstract. Like Arth et al., Terahara et al. do not teach or suggest the presently claimed cover material. Additionally, Terahara et al. do not teach or suggest a patch having a support film with a thickness of 12-30 μm. Accordingly, Applicants submit that, whether taken alone or in combination, neither of Arth et al. or Terahara et al. teach or suggest every element of the presently pending subject matter.

Additionally, Applicants submit that Terahara et al. only teach that materials similar to those disclosed in the present subject matter are used in the drug containing layer of a patch. In contradistinction, according to the presently pending claims, a pressure-sensitive adhesive, as recited, is used in the adhesive layer of a cover material. In this regard, Applicants submit that the

presently pending claims do not require an adhesive in the drug-containing layer.

Further according to the presently pending subject matter, migration of the drug into the pressure-sensitive adhesive layer is prevented when the pressure-sensitive adhesive layer is in contact with the drug containing layer. The aforementioned effect is the result of specific make-up of the present specific pressure-sensitive adhesive layer. As described at paragraph 10 of the present specification, due to these properties, the presently claimed cover material and patch provide effective drug release because the drug becomes concentrated on the skin, and the percutaneous absorption of the drug is therefore enhanced. Applicants note that such effects are not taught or suggested by either of Arth et al. or Terahara et al.

Further, Applicants note that according to paragraphs 10, 16, 17 and 25 of Terahara et al., even a hardly soluble drug, such as pergolide mesylate, can be dissolved in composition comprising materials similar to those used in the pressure-sensitive adhesive layer of the presently claimed cover material. In this regard, Applicants note that from the disclosure of Terahara et al., those skilled in the art would predict that drugs comprised in the drug-containing layer, including pergolide mesylate, will easily migrate into the pressure sensitive adhesive layer of the presently claimed cover material. Therefore, Applicants submit that the effects achieved by the presently claimed subject matter are not predictable by the disclosure of Terahara et al.

In addition, Applicants respectfully submit that as described at paragraphs 9 and 48 of the present specification, because the presently claimed cover material readily wraps around the sides of the present patch, an occlusive dressing is achieved. In this regard, Applicants respectfully submit that neither Arth et al. nor Terahara et al. achieve the present occlusive dressing.

Furthermore, Applicants submit that neither of Arth et al. nor Terahara et al. achieve the balance between the elastic modulus of the drug-containing layer of the patch and the elastic modulus of the pressure sensitive adhesive layer that results from the presently claimed subject matter. Applicants submit that the balance achieved by the present subject matter allows the adhesive force on the skin to be adjusted to a suitable level such that skin irritation may be reduced. *See*, for example, paragraphs 11 and 50 of the present specification.

In view of the remarks set forth herein, it is submitted that, whether taken alone or in combination, Arth et al. and Terahara et al. do not render the presently pending claims obvious within the meaning of 35 USC § 103 (a). Accordingly, the Examiner is respectfully requested to withdraw this rejection.

VII. At page 8 of the Official Action, claims 3 and 8 have been rejected under 35 USC § 103 as being unpatentable over Arth et al. in view of Terahara et al. as in claims 1, 2, 4-7, 9, and 10, and further in view of Liedtke.

The Examiner asserts that it would have been obvious to incorporate the foam polymer disclosed in Liedtke with the cover layer and adhesives disclosed with Arth et al. and Terahara et al.

Applicant respectfully traverses this rejection because *prima facie* case of obviousness has not been established.

A brief outline of relevant authority is set forth above.

Independent claim 1 is discussed above in regard to the previous rejection. Claims 3 and 11-13 depend, either directly or indirectly from claim 1.

Independent claim 5 is discussed above in regard to the previous rejection. Claims 8 and 14-16 depend, either directly or indirectly from claim 5.

Each of Arth et al., Terahara et al. and Liedtke are a discussed in detail above with regard to the previous rejections. As discussed, Applicants submit that there is no motivation to modify the transdermal system of Arth et al. with the patch disclosed by Terahara et al. because the patch according to Terahara et al. comprises a drug containing layer that is also the adhesive layer.

Additionally, whether taken alone or in combination, Applicants submit that neither Arth et al. nor Terahara et al. teach or suggest every element of the present subject matter as required to establish a *prima facie* case of obviousness. Liedtke does not remedy the deficiencies of Arth et al. and Terahara et al. As discussed none of Arth et al., Terahara et al. or Liedtke et al. teach or suggest the presently claimed cover material, which, as described above, comprises a pressure sensitive adhesive layer having a pressure-sensitive adhesive obtained by polymerizing a first and second monomer, the first monomer being selected from the group consisting of vinyl acetate and N-vinyl-2-pyrrolidone and the second monomer being a (meth)acrylic acid alkyl ester wit a C8 alkyl group, as presently claimed. Therefore, Applicants submit

that, whether taken alone or in combination, Arth et al., Terahara et al. and Liedtke do not teach or suggest every element of the presently pending subject matter.

In view of the remarks set forth herein, it is submitted that, whether taken alone or in combination, Arth et al., Terahara et al. and Liedtke do not render the presently pending claims obvious within the meaning of 35 USC § 103 (a). Accordingly, the Examiner is respectfully requested to withdraw this rejection.

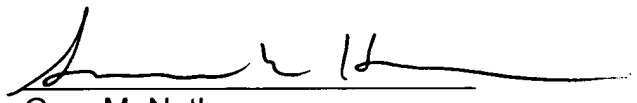
CONCLUSION

In view of the foregoing, Applicants submit that the application is in condition for immediate allowance. Early notice to that effect is earnestly solicited. The Examiner is invited to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

THE NATH LAW GROUP



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